



09-14.05

PATENT *DAC*  
*FW*

Practitioner's Docket No. 1012-166C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Damian Hajduk

Application No.: 10/712,617

Group No.: 2856

Filed: 11/12/2003

Examiner: Larkin, Daniel

For: RHEOMETER FOR RAPIDLY MEASURING SMALL QUANTITY SAMPLES

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

PETITION TO REVIVE APPLICATION ABANDONED UNINTENTIONALLY  
FOR FAILURE TO REPLY TO AN OFFICE ACTION

1. This application became abandoned on July 28, 2005.
2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. §1.137(b)(3).

5

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

Adjustment Date: 09/26/2005 AKELLEY  
09/15/2005 EFLORES 00000089 500496 10712617  
01 FC:1252 450.00 CR

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"  
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Void Date: 09/26/2005 AKELLEY  
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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

09/15/2005 EFLORES 00000088 501097 10712617

01 FC:1453 1500.00 DA

Date: 09-13-05

09/26/2005 AKELLEY 00000006 501097 10712617

01 FC:1252 450.00 DA

*Roni L. Masquelier*  
Signature

Roni L. Masquelier  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

3. Reply

A petition for an extension of time for a two month period is attached hereto along with the required fee for the extension of time.

4. Fee (37 C.F.R. § 1.17(m))

The Applicant is other than a small entity — fee \$1,500.00.

5. Fee Payment

Authorization is hereby made to charge the amount of \$1,500.00 to Deposit Account No. 50-1097. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

6. Terminal Disclaimer

A terminal disclaimer is not required because this application was filed after June 8, 1995.

Date: September 13, 2005



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UNITED STATES PATENT & TRADEMARK OFFICE  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>9</u> <u>05</u>		2 Serial/Patent # <u>10/712,161</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
<input checked="" type="checkbox"/>	Extension of Time		9/13/05	\$ 450
	Notice of Appeal/Appeal			\$
	Petition			\$
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	\$ 450
10 REASON:		8 TO BE REFUNDED BY:		
	Overpayment	Treasury Check		
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):	9 <span style="border: 1px solid black; padding: 2px;">50</span> -- <span style="border: 1px solid black; padding: 2px;">1097</span>		
Type period expired				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>C. GRANT</u>		TITLE: <u>att</u>		
SIGNATURE: <u>C. Grant</u>		PHONE: <u>X-3215</u>		
OFFICE: <u>OP</u>				
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